

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

WHITE, et al.,	.
	.
Plaintiffs,	.
	. Case No. 17-cv-01775
vs.	.
	. Newark, New Jersey
LG ELECTRONICS, INC., et al.,	. September 26, 2017
	.
Defendants.	.
	.

TRANSCRIPT OF HEARING  
BEFORE THE HONORABLE STEVEN C. MANNION  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

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1 (Commencement of proceedings at 10:43 A.M.)

2

3 THE COURT OFFICER: We are on the record in the  
4 case White versus LG Electronics, 17-cv-1775.

5 THE COURT: All right. May I have appearance  
6 beginning with plaintiff's counsel.

7 MR. BERMAN: Michael Eric Berman, counsel for  
8 plaintiffs.

9 THE COURT: Welcome. And for each defense?

10 MR. GREENBAUM: Jeffrey J. Greenbaum, Sills  
11 Cummis & Gross for defendant LG Electronics U.S. Inc.

12 MR. RUBIN: Michael Rubin, Latham & Watkins for  
13 defendant LG Electronics U.S.A.

14 MR. MCDONALD: Michael McDonald from Gibbons P.C.  
15 on behalf of Samsung Electronics, for the record.

16 MR. BOSSET: Eric Bosset, Covington & Burling on  
17 behalf of Samsung Electronics American.

18 MR. MELODIA: Mark Melodia here with Siobhan Nolan  
19 from Reed Smith making a limited appearance for Sony  
20 Corporation of America and Sony Electronics Inc.

21 THE COURT: Okay. We had a conversation off the  
22 record about status of this matter and a way forward.

23 It's the Court's understanding that all counsel  
24 have agreed for their respective clients to an administrative  
25 termination of this case, a stay and an administrative

1 termination of the case without prejudice; that a  
2 administrative termination is a docket control device that  
3 simply turns off the docket and stays the case for a specific  
4 period of time. Here, the time would be 90 days, during  
5 which the statute of limitations would not begin to run.  
6 This is not a dismissal of the case for any other purposes  
7 other than to turn off the case pending the additional  
8 investigation by plaintiffs.

9 In order to reactivate the case, plaintiffs'  
10 counsel would need to file a letter with the Court -- I'm  
11 going to say by December 22nd, so anytime up until  
12 December 22nd, a letter requesting that the case be restored  
13 to the active lists and attaching a proposed amended  
14 complaint to be filed.

15 If that happens, then defense counsel would have  
16 opportunity to respond to the proposed amended pleading, but  
17 the case would be restored to the active list.

18 And defendants would also have the opportunity to  
19 request, if there is no proposed pleading, request that their  
20 motion to dismiss be decided. Okay?

21 If there is a proposed pleading and the Court  
22 grants it, that would moot the motion to dismiss, and we  
23 would have to decide what happens at that point. Okay?

24 Are these terms acceptable to plaintiffs?

25 MR. BERMAN: Yes, Your Honor.

1 THE COURT: All right. To defense?

2 MALE SPEAKER: Yes.

3 MR. MELODIA: Your Honor, the way Your Honor just  
4 phrased the options, at the 90-day point don't really account  
5 for the fact that the Sony entities have not yet joined --  
6 the motion to dismiss.

7 THE COURT: Okay.

8 MR. MELODIA: So --

9 THE COURT: So at this point, you would have no  
10 obligation to respond to the current pleading or anything  
11 during that 90 days.

12 MR. MELODIA: And if after that 90 days, there was  
13 no response from plaintiffs.

14 THE COURT: The case would be dismissed with  
15 prejudice.

16 MR. MELODIA: As to all of the defendants?

17 THE COURT: Everybody named in the current  
18 complaint.

19 MR. MELODIA: Okay.

20 THE COURT: Okay? All right. With that, I will  
21 contact Judge Arleo, and most likely she'll instruct me to  
22 file the appropriate order. And I will hear from you if you  
23 want me to. Okay?

24 Thank you all very much. We are adjourned.

25 (Conclusion of proceedings at 11:05 A.M.)

## Certification

I, SARA L. KERN, Transcriptionist, do hereby certify that the 6 pages contained herein constitute a full, true, and accurate transcript from the official electronic recording of the proceedings had in the above-entitled matter; that research was performed on the spelling of proper names and utilizing the information provided, but that in many cases the spellings were educated guesses; that the transcript was prepared by me or under my direction and was done to the best of my skill and ability.

I further certify that I am in no way related to any of the parties hereto nor am I in any way interested in the outcome hereof.

s/ *Sara L. Kern*

26th of October, 2017

Signature of Approved Transcriber

Date

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